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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,818	01/07/2002	Jo-Ann M. Geuss	END920010067US1	2717

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EXAMINER

SHAH, SANJIV

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant No.

10/040,818

Applicant(s)

GEUSS ET AL.

Examiner

Sanjiv D. Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-20, 22 and 23 is/are rejected.
- 7) ☒ Claim(s) 10, 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/7/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-11 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Analysis: As per claim 1, it is a method of generating custom spreadsheet comprising transforming a portion of a database into custom spreadsheet. Analyzing the claims, the disclosed invention is not data structure per se. It is a series of steps performed on a computer. Evaluating the process it is determined that there is no pre-computer or post-computer activity. The invention merely manipulates abstract idea or solves a purely mathematical problem without any limitation to a practical application. Therefore it is a non-statutory subject matter

Claims 2-11 being dependent on claim 1 are rejected under same rationale.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7, 9, 11-18, 20, 22-23 rejected under 35 U.S.C. 102(e) as being anticipated by Cesare et al. (Patent # 6,604,095).

Regarding claims 1, 12, 23, Cesare et al teaches a method for generating custom spreadsheet (Col. 9, lines 63-67)

said method comprising transforming a portion of a database into the custom spreadsheet, (col. 2, lines 25-30, col 9, lines 64, wherein Cesare teaches transforming one database column into input table and transforming input table into spreadsheet) wherein the transforming includes determining selected from the group consisting of determining whether to omit in the custom spreadsheet a column that is in the portion, determining whether to add to the custom spreadsheet a column that is not in the portion, and combinations thereof. (See col. 7, lines 5-13 and col. 10, lines 1-10, wherein the pivot transform determines # of columns based on parameter, that is equivalent to adding or omitting the column based on input parameter.)

Regarding claims 2, 13, Cesare et al teaches the claimed invention of view of database as shown in fig 1, element 10.

Regarding claim 3, 6, 7, 14, 17, 18, Cesare et al teaches the claimed invention of transforming including performing one function based on one rule set is described in col. 4, lines 36-43. It is assumed that N=1 in all claims

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Regarding claims 4, 15, Cesare et al teaches transforming includes executing control program invoking a software module to retrieve rule (col. 8, lines 10-15, col. 10, lines 18-20)

Regarding claims 5, 16, Cesare et al teaches the claimed invention of retrieving rule set based on spreadsheet type (See col. 9, lines 23-35, wherein the rules are retrieved according to pivot column parameter and data name column parameter. Since the rows and columns constitute a spreadsheet, it is inherent that the rules are retrieved according to spreadsheet type.

Regarding claims 9, 20, Cesare et al teaches the claimed invention of transforming rules as described in col. 9, lines 30-33

Regarding claims 11, 22, Cesare et al teaches the claimed invention of determining whether to add column is described in col. 7, lines 5-13 and col. 10, lines 1-10, wherein the pivot transform determines # of columns based on parameter, that is equivalent to adding or omitting the column based on input parameter.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 8 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cesare et al. (Patent # 6,604,095).

Regarding claims 8 and 19, Casere does not specifically teach LOTUS database with LOTUS script and LOTUS 1-2-3 spreadsheet. However Cesare et al. teaches IBM DB2 database as described in col. 10, lines 47-54. Cesare further teaches different type of application can be implemented with different system. It would have been obvious for a person with ordinary skill in the art at the time the invention was made to incorporate LOTUS Database in the system of Cesare et al because it provides widely used platform thus providing applicability to wider selection of application which is always desired.

Allowabl Subj ct Matter

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7. Claims 10 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As per claims 10 and 21, the cited prior art fails to teach custom spreadsheet wherein the first rule includes a integrative rule that cuts across at least two sheets of plurality of sheets as claimed in combination with other claimed features.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjiv D. Shah whose telephone number is (571) 272-4098. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sanjiv D. Shah
Primary Examiner
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